

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

OCT 6 2021

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UPPER MISSOURI WATERKEEPER,

Plaintiff-Appellee,

v.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY; MICHAEL REGAN,  
Administrator, United States Environmental  
Protection Agency,

Defendants,

TREASURE STATE RESOURCES  
ASSOCIATION OF MONTANA; STATE  
OF MONTANA DEPARTMENT OF  
ENVIRONMENTAL QUALITY,

Intervenor-Defendants,

and

NATIONAL ASSOCIATION OF CLEAN  
WATER AGENCIES; THE MONTANA  
LEAGUE OF CITIES AND TOWNS,

Intervenor-Defendants-  
Appellants.

UPPER MISSOURI WATERKEEPER,

Plaintiff-Appellee,

v.

No. 19-35898

D.C. No. 4:16-cv-00052-BMM

ORDER

No. 19-35899

D.C. No. 4:16-cv-00052-BMM

U.S. ENVIRONMENTAL PROTECTION AGENCY; MICHAEL REGAN, Administrator, United States Environmental Protection Agency,

Defendants,

NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES; THE MONTANA LEAGUE OF CITIES AND TOWNS; STATE OF MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Intervenor-Defendants,

and

TREASURE STATE RESOURCES ASSOCIATION OF MONTANA,

Intervenor-Defendant-Appellant.

UPPER MISSOURI WATERKEEPER,

Plaintiff-Appellee,

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY; MICHAEL REGAN, Administrator, United States Environmental Protection Agency,

Defendants,

NATIONAL ASSOCIATION OF CLEAN

No. 20-35135

D.C. No. 4:16-cv-00052-BMM

WATER AGENCIES; THE MONTANA LEAGUE OF CITIES AND TOWNS; TREASURE STATE RESOURCES ASSOCIATION OF MONTANA,

Intervenor-Defendants,

and

STATE OF MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Intervenor-Defendant-Appellant.

UPPER MISSOURI WATERKEEPER,

Plaintiff-Appellee,

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY; MICHAEL REGAN, Administrator, United States Environmental Protection Agency,

Defendants-Appellants,

and

NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES; THE MONTANA LEAGUE OF CITIES AND TOWNS; TREASURE STATE RESOURCES ASSOCIATION OF MONTANA; STATE OF MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

No. 20-35136

D.C. No. 4:16-cv-00052-BMM

Intervenor-Defendants.

UPPER MISSOURI WATERKEEPER,

Plaintiff-Appellant,

v.

U.S. ENVIRONMENTAL PROTECTION AGENCY; MICHAEL REGAN, Administrator, United States Environmental Protection Agency,

Defendants-Appellees,

NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES; THE MONTANA LEAGUE OF CITIES AND TOWNS; TREASURE STATE RESOURCES ASSOCIATION OF MONTANA; STATE OF MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

Intervenor-Defendants-Appellees.

Before: BOGGS,\* PAEZ, and WATFORD, Circuit Judges.

Upper Missouri Waterkeeper's motion to supplement the record or take judicial notice (Dkt. 44 in 19-35898; Dkt. 40 in 19-35899; Dkt. 34 in 20-35135; Dkt. 34 in 20-35136; Dkt. 33 in 20-35137), filed July 27, 2020, is DENIED.

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\* The Honorable Danny J. Boggs, United States Circuit Judge for the U.S. Court of Appeals for the Sixth Circuit, sitting by designation.